

**ORIGINAL**FILED IN THE  
UNITED STATES DISTRICT COURT  
DISTRICT OF HAWAII

EDWARD H. KUBO, JR. 2499  
 United States Attorney  
 District of Hawaii

JUL 21 2006

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*at 4 o'clock and 30 min by  
 SUE BEITIA, CLERK*

Attorneys for Plaintiff  
 UNITED STATES OF AMERICA

## IN THE UNITED STATES DISTRICT COURT

## FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,	)	CR. NO. 04-00027
	)	
Plaintiff,	)	RECALL OF BENCH WARRANT
	)	
vs.	)	
	)	
ROBERT A. ALAPAI,	)	
	)	
Defendant.	)	
	)	

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RECALL OF BENCH WARRANT

Pursuant to Rule 48(a) of the Federal Rules of Criminal Procedure and by leave of court endorsed hereon, the United States Attorney for the District of Hawaii hereby moves this court to recall the bench warrant against ROBERT A. ALAPAI based upon the age of the case.

The United States Marshal Service has attempted to locate and serve the defendant and after best efforts have been unable to do so. The United States respectfully requests that no

further action be taken in the instant case, the conviction to remain and the outstanding bench warrant to be recalled.

The defendant is not in custody on the dismissed charge listed above.

DATED: Honolulu, Hawaii, July 20, 2006.

EDWARD H. KUBO, JR.  
United States Attorney  
District of Hawaii

/s/ Ronald G. Johnson  
By \_\_\_\_\_  
RONALD G. JOHNSON  
Chief, Major Crimes Section

Attorneys for Plaintiff  
UNITED STATES OF AMERICA

Leave of Court is granted for the filing of the foregoing recall of Bench warrant.

  
\_\_\_\_\_  
UNITED STATES MAGISTRATE JUDGE

JUL 21 2006

\_\_\_\_\_  
DATED

USA v. Robert A. Alapai  
CR. NO. 04-00027  
"Recall of Bench Warrant"